UNITED STATES PATENT AND TRADEMARK OFFICE

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ART UNIT	PAPER NUMBER
2436	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
	10/799,921	DICK, RICHARD
Office Action Summary	Examiner	Art Unit	
	ELENI A. SHIFERAW	2436	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 September 2010*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-10 and 12-20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-10 and 12-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-10 and 12-20 are pending.

Response to Amendment

2.   The 112 rejection to claim 1 is withdrawn in view of applicant's amendment.

Response to Arguments

3.   Applicant's arguments have been fully considered but are not persuasive.

Regarding argument Serebrennikove failure to teach 'performing the function recited in

Applicant's claim ... explanations of incorrect information ... the crawler to locate and retrieve

publicly available information regarding the individual from a plurality of internet accessible

source' argument is not persuasive because Serebrennikove teaches a web crawler 24 (see figs.

1b & 2b) that monitors and locates user publicly available information metadata/number files

including the user phone number, mailing address, email address, or other information to locate

the user, links of the user, resource/profile, etc., stored in central database(s) over networks [see

summary, figs. 2-3 & 9, par. 44-51 and 68] and updates resources/customer

profile/metadata/number file to provide updated database in the network [see par. 68, 74]. The

user selects Live update option that enforces the crawler to manually update database by the user

by adding new information, modifying the number file and lots of other information/explanation

are also added when the use modifies his information that are reasons/explanations related to the

old data and new change [see par. 98-101, 110-117 and figs. 2b, 3, & 5-6].

Regarding argument 'no information about the user is shown as being provided as being provided for review or entering commentary on its accuracy as is required by the claims' is taught by Dunn argument is not persuasive because Dunn teaches prompting information owner party with authority/grantor to consent menu to grant or deny access to the requestor 'repair shop' of user specific information of the grantor... granting/denying by the grantor is by reviewing the requested access, e.g. 1-6 elements indicated in the message and the verifying whether to grant all elements indicated as 1-6 in the access request message or grant partially by modifying access, e.g. partially granting access to personal demographic information 208 but not to financial information 214 and by writing modified appropriate access rules in the database ... the owner grantor user viewing the consent menu, considering the requested access request and accepting by clicking "OK" (see col. 3 lines 8-18, col. 7 lines 21-34, col. 12 lines 1-64, and , fig. 3). Moreover see col. 7 lines 66-67 for presenting personal/specific-info in the data store, presenting the information over the wide area computer network to the individual to review and verify accuracy of information (see col. 3 lines 8-18, col. 7 lines 21-34, col. 12 lines 1-64, and , fig. 3).

The combination of references teaches all the limitation as disclosed in this office action. The claims are given reasonable broad interpretation in light of the disclosure but the office cannot read teachings from the disclosure or applicant's argument into the claims.

The examiner also attaches US 20040117376 A1 in 892 for applicant's reference.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

5.   **Claims 1-10 and 12-20 are rejected under 35 U.S.C. 103(a) as being unpatentable**

over Dunn USPN 7076558 B1 in view of Serebrennikov US PG Pubs. 20030078987 Al.

Regarding claim 1, Dunn teaches a method for controlling a release of personal information **(see**

col. 2 lines 10-67, col. 5 lines 49-67, and col. 8 lines 56-61; access control lists specifying

user-specific information controlled access of the owner and controlling access to third

party user access based on the access control lists, … user-specific information is, for e.g.,

‘personal information’, preferences, data, media content maintained on behalf of the user,

user name, user age, user address, credit card number …, lists …) comprising:

        depositing some personal information regarding an individual with a server **(see col. 7**

lines 66-67 and fig. 1 element 102; user specific-information stored in the data store 102);

        presenting said information over a wide area computer network to said individual to

review and verify said information's accuracy **(see col. 3 lines 8-18, col. 7 lines 21-34, col. 12**

lines 1-64, and , fig. 3; information owner party with authority/grantor is prompted to

consent menu to grant or deny access to the requestor ‘repair shop’ of user specific

information of the grantor… granting/denying by the grantor is by reviewing the requested

access, e.g. 1-6 elements indicated in the message and the verifying whether to grant all

elements indicated as 1-6 in the access request message or grant partially by modifying

access, e.g. partially granting access to personal demographic information 208 but not to

financial information 214 and by writing modified appropriate access rules in the database

… the owner grantor user viewing the consent menu, considering the requested access

request and accepting by clicking "OK");

accepting commentary on the accuracy of said some personal information based on

review from said individual **(col. 12 lines 8-64; access owner/grantor accepting the requested**

access indicated as 1-6 by granting access by reviewing them as displayed on the menu

and/or verifying and modifying the displayed access menu for accuracy of owner's

personal data and modifying the requested steps to provide some partial access to the

requestor and writing the modified access in the access control list of the server);

obligating organizations that possess additional personal information regarding said

individual to not disclose said additional personal information without authorization from said

server **(col. 12 lines 8-25; obligating the repair shop and/or other end user servers 'fig. 2**

element 220' to use the credit card information of the user only to complete the present

transaction and will not share it with third parties …); and

instructing said server to not release said some personal information held on the server

and to not authorize release of said additional personal information at the obligated organizations

without receiving authorization from said individual **(col. 12 lines 8-25, col. 13 lines 19-col. 14**

lines 67, and figs. 2-4; the system is programmed to not provide any user-specific

information with out the access rules in the database and without the owner's consent).

Dunn fails to explicitly teach using web crawler programs to locate and retrieve publicly-

available information regarding said individual from a plurality of Internet-accessible sources;

and wherein said commentary includes explanations of incorrect information on said server.

However Serebrennikov discloses web crawler programs to locate and retrieve publicly-

available information regarding said individual from a plurality of Internet-accessible sources

(par. 49, 68, 74; crawler periodically monitors the network and updates resources/customer

profile to provides updated database in the network); and wherein said commentary includes

explanations of incorrect information on said server **(see par. 98-99, 110-117 and figs. 2A-B&3;**

when information is incorrect and old the user selecting Live update option that enforces

the crawler to manually update the database by the user ... incorrect information and

explanation is added).

Therefore it would have been obvious to one having ordinary skill in the art at the time of

invention was made to modify the teachings of Dunn to provide updated and up to date network

information by allowing the user enforcing information update provide reason for the update.

Regarding claim 7 Dunn teaches a method for creating a database of verified personal

information comprising:

presenting said information over a wide area computer network to said individual to

review and verify said information's accuracy **(see col. 3 lines 8-18, col. 7 lines 21-34, col. 12**

lines 1-64, and , fig. 3; information owner party with authority/grantor is prompted to

consent menu to grant or deny access to the requestor 'repair shop' of user specific

information of the grantor... granting/denying by the grantor is by reviewing the requested

access, e.g. 1-6 elements indicated in the message and the verifying whether to grant all

elements indicated as 1-6 in the access request message or grant partially by modifying

access, e.g. partially granting access to personal demographic information 208 but not to

financial information 214 and by writing modified appropriate access rules in the database

… the owner grantor user viewing the consent menu, considering the requested access

request and accepting by clicking "OK");

accepting commentary on the accuracy of said information based on said review from

said individual over the wide area computer network **(col. 12 lines 8-64 and fig. 3-4; access**

owner/grantor accepting the requested access indicated as 1-6 by granting access by

reviewing them as displayed on the menu and/or verifying and modifying the displayed

access menu for accuracy of owner's personal data and modifying the requested steps to

provide some partial access to the requestor and writing the modified access in the access

control list of the server);

including said commentary in said database with said information **(col. 12 lines 8-64**

and fig. 2-4; modification is stored in the ACL database server);

receiving a request over said wide area computer network from an authorized individual

to review selected portions of said information **(col. 12 lines 8-64; displaying consent menu to**

the owner);

instructing said server to not release said some personal information held on the server

and to not authorize release of said additional personal information at the obligated organizations

without receiving authorization from said individual **(col. 12 lines 8-25, col. 13 lines 19-col. 14**

lines 67, and figs. 2-4; the system is programmed to not provide any user-specific

information with out the access rules in the database and without the owner's consent).

presenting said request to said individual for authorization **(fig. 3)**;

presenting said selected portions of said information over said wide area computer network to said authorized individual **(fig. 3)**; and

providing access to said database and said commentary to third parties **(see col. 7 lines 21-34, col. 12 lines 1-64, and fig. 3)**; and

obligating organizations that possess additional personal information regarding said individual to not disclose said additional personal information without authorization from said server **(col. 12 lines 8-25; obligating the repair shop and/or other end user servers 'fig. 2 element 220' to use the credit card information of the user only to complete the present transaction and will not share it with third parties ...)**.

Dunn fails to explicitly teach using web crawler programs to locate and retrieve publicly-available information regarding said individual from a plurality of Internet-accessible sources; and wherein said commentary includes explanations of incorrect information on said server.

However Serebrennikov discloses web crawler programs to locate and retrieve publicly-available information regarding said individual from a plurality of Internet-accessible sources **(par. 49, 68, 74; crawler periodically monitors the network and updates resources/customer profile to provides updated database in the network)**; and wherein said commentary includes explanations of incorrect information on said server **(see par. 98-99, 110-117 and figs. 2A-B&3; when information is incorrect and old the user selecting Live update option that enforces the crawler to manually update the database by the user ... incorrect information and explanation is added)**.

Therefore it would have been obvious to one having ordinary skill in the art at the time of invention was made to modify the teachings of Dunn to provide updated and up to date network information by allowing the user enforcing information update provide reason for the update.

Regarding claim 15, Dunn teaches a method for creating and sharing a database of verified personal information comprising:

presenting said information and the sources of said information over the wide area computer network to said individual to review and verify said information's accuracy **(see col. 3 lines 8-18, col. 7 lines 21-34, col. 12 lines 1-64, and , fig. 3; information owner party with authority/grantor is prompted to consent menu to grant or deny access to the requestor 'repair shop' of user specific information of the grantor… granting/denying by the grantor is by reviewing the requested access, e.g. 1-6 elements indicated in the message and the verifying whether to grant all elements indicated as 1-6 in the access request message or grant partially by modifying access, e.g. partially granting access to personal demographic information 208 but not to financial information 214 and by writing modified appropriate access rules in the database … the owner grantor user viewing the consent menu, considering the requested access request and accepting by clicking "OK")**;

accepting commentary on the accuracy of said information based on said review from said individual over the wide area computer network **(col. 12 lines 8-64 and fig. 3-4; access owner/grantor accepting the requested access indicated as 1-6 by granting access by reviewing them as displayed on the menu and/or verifying and modifying the displayed access menu for accuracy of owner's personal data and modifying the requested steps to**

provide some partial access to the requestor and writing the modified access in the access

control list of the server);

including said commentary in said database with said information **(col. 12 lines 8-64 and**

fig. 2-4; modification is stored in the ACL database server);

receiving a request over said wide area computer network from an authorized individual

to review selected portions of said information **(col. 12 lines 8-64; displaying consent menu to**

the owner);

instructing said server to not release said some personal information held on the server

and to not authorize release of said additional personal information at the obligated organizations

without receiving authorization from said individual **(col. 12 lines 8-25, col. 13 lines 19-col. 14**

lines 67, and figs. 2-4; the system is programmed to not provide any user-specific

information with out the access rules in the database and without the owner's consent);

presenting said request to said individual for authorization **(fig. 3)**;

presenting said selected portions of said information over said wide area computer

network to said authorized individual along with identification of said sources of said selected

portions of said information **(fig. 3)** and any commentary on the accuracy of said selected

portions of said information provided by said individual **(col. 12 lines 8-64 and fig. 3-4; access**

owner/grantor accepting the requested access indicated as 1-6 by granting access by

reviewing them as displayed on the menu and/or verifying and modifying the displayed

access menu for accuracy of owner's personal data and modifying the requested steps to

provide some partial access to the requestor and writing the modified access in the access

control list of the server, … considering and selecting "OK"); and

providing access to said database and said commentary to third parties **(see col. 7 lines 21-34, col. 12 lines 1-64, and fig. 3)**; and

obligating organizations that possess additional personal information regarding said individual to not disclose said additional personal information without authorization from said server **(col. 12 lines 8-25; obligating the repair shop and/or other end user servers 'fig. 2 element 220' to use the credit card information of the user only to complete the present transaction and will not share it with third parties ...)**.

Dunn fails to explicitly teach using web crawler programs to locate and retrieve publicly-available information regarding said individual from a plurality of Internet-accessible sources.

However Serebrennikov discloses web crawler programs to locate and retrieve publicly-available information regarding said individual from a plurality of Internet-accessible sources **(par. 49, 68, 74; crawler periodically monitors the network and updates resources/customer profile to provides updated database in the network and see par. 98-99, 110-117 and figs. 2A-B&3; that discloses: when information is incorrect and old the user selecting Live update option that enforces the crawler to manually update the database by the user ... incorrect information and explanation is added)**.

Therefore it would have been obvious to one having ordinary skill in the art at the time of invention was made to modify the teachings of Dunn to provide updated and up to date network information by allowing the user enforcing information update provide reason for the update.

Regarding claim 2 Dunn teaches the method wherein said server is Internet-accessible (see fig. 2-3).

Regarding claim 3 combination teaches the method wherein using web crawler programs to locate and retrieve publicly-available information regarding said individual from a plurality of Internet-accessible sources occurs automatically (see Dunn col. 4 lines 6-67 and Serebrennikov **par. 49, 68, 74)**.

Regarding claims 4 and 10 Dunn teaches the method wherein said individual is a member of a database service (see col. 38-39 table 1 and col. 39 lines 46-67).

Regarding claim 5, Dunn teaches the method wherein said personal information comprises database entries (see figs. 1-4).

Regarding claim 6 Dunn teaches the method wherein said obligated organizations are subscribers to a database service (see col. 12 lines 6-67 and table 1 on col. 38-39).

Regarding claim 8 Dunn teaches wherein said wide area computer network is an internet (see fig. 2-4).

Regarding claim 9 Serebrennikov teaches wherein said the step of automatically gathering information further comprises using web crawler programs to locate and retrieve publicly-available information regarding said individual from a plurality of Internet- accessible sources Serebrennikov **par. 49, 68, 74)**.

Regarding claim 12 Dunn teaches wherein said third parties are subscribers to a database service

(see col. 12 lines 6-67 and table 1 on col. 38-39).

Regarding claim 13 Dunn teaches the method wherein said authorized individuals are members

of a database service (see figs. 2-4 and col. 38-39 table 1 and col. 39 lines 46-67).

Regarding claim 14 Dunn teaches wherein obligating organizations that possess additional

personal information regarding said individual to not disclose that additional personal

information without authorization from said server comprises: receiving a disclosure from said

individual at said server identifying said organizations that possess said additional personal

information; contacting said organizations that possess said additional personal information with

said server; and receiving a contractual agreement from said organizations that possess said

additional personal information to not release said additional personal information to third parties

without first contacting said server for authorization (see col. 12 lines 1-67 and figs. 3-4).

Regarding claim 16 the combination teaches further comprising: supplementing said information

regarding the individual by a continuous gathering process; notifying said individual of updates

to said information located by said continuous gathering process; and accepting further

commentary on the accuracy of said updates to said information from said individual over the

wide area computer network (Dunn figs. 1-4 and Serebrennikov 49, 68, 74 and 98-117).

Regarding claim 17 Dunn teaches further comprising: receiving a search of said database from a

third party that results in information about said individual being displayed to said third party;

and notifying said individual of said search and said display (figs. 2-4).

Regarding claim 18 Dunn teaches further comprising: receiving additional information from said individual over the wide area computer network; and receiving a designation from said individual designating said additional information as one of: information to be made available to all subscribers of said database; and information to be released only upon specific authorization of said individual (see figs. 1-5).

Regarding claim 19 Dunn teaches wherein the commentary on the accuracy of said information comprises an indication that a portion of said information is incorrectly associated with said individual (see col. 12 lines 6-67 and fig. 3).

Regarding claim 20, the combination teaches, further comprising requiring said third parties to register with said database and present said database with identifying information prior to providing access to said database and to said commentary to said third parties (Dunn figs. 2-3 and Serebrennikov 49, 68, 74 and 98-117)

Conclusion

6.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

7.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to ELENI A. SHIFERAW whose telephone number is (571)272-

3867. The examiner can normally be reached on Mon-Fri 6:00am-2:30pm.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Nasser R. Moazzami can be reached on (571) 272-4195. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

        Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Eleni A Shiferaw/
Primary Examiner, Art Unit 2436